IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.35553 of 2008
JIGAR MIAN @ SABIR HUSSAIN
Versus
STATE OF BIHAR
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2. **16.09.2008** Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case registered for the offences under Sections 376, 419, 120B of the Indian Penal Code.

The allegation against the petitioner is that he has physical relationship with the informant for about 3 years on the pretext that later on he will perform marriage with the informant. However, it is alleged that this petitioner declined to marry with the informant.

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It is submitted that no offence has been made out under Section 376 of the Indian Penal Code against the petitioner.

Learned counsel for the State refute the submissions made on behalf of the petitioner in the light of the allegation made in the FIR.

Having considered the submissions, as noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner,

namely, Jigar Mian @ Sabir Hussain be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan in connection with Pacharukhi P.S. Case No. 30 of 2008 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

Jagdish/- **(Shailesh Kumar Sinha,J)**

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